

FAIR BOARD[371]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 173.1 and 173.14A, the Iowa State Fair Authority hereby amends Chapter 1, "General Rules," Chapter 3, "Campgrounds," Chapter 4, "Space Sales," Chapter 5, "Youth Housing and Dining Hall," Chapter 6, "Competitive Exhibits and Competitions General Rules," Chapter 7, "Interim Events," and Chapter 8, "Admittance and Use of Fairgrounds," Iowa Administrative Code.

These amendments make changes and updates pertaining to general practices conducted during the yearly Iowa State Fair and year-round activities at the state fairgrounds.

Notice of Intended Action was published in the March 21, 2012, Iowa Administrative Bulletin as **ARC 0049C**. Comments were received at the public hearing held on April 11, 2012. Further comments were received at the Administrative Rules Review Committee meeting on April 9, 2012, and from the State Ombudsman. Based on those comments, the following changes to the Notice have been made:

- In Item 4, subrule 1.2(6) has been modified to adjust the copy price from the proposed 50 cents per page to 15 cents per page.

- In Item 5, proposed new subrule 1.3(3) has been modified to change "shall" to "may" in the fourth sentence. Subrule 1.3(3) now reads as follows:

"1.3(3) Appeal procedures. All protests, challenges to disciplinary action or complaints shall be heard initially by the Iowa state fair board's competition committee according to procedures set out in the fair's annual premium book. An exhibitor may appeal the decision of the competition committee to the fair board. An exhibitor appealing a disqualification or recommended disciplinary action may request an evidentiary hearing conducted pursuant to Iowa Code chapter 17A. If the exhibitor requests that the appeal be heard as an evidentiary hearing, the fair board may retain an administrative law judge from the department of inspections and appeals to conduct the evidentiary hearing and to render a proposed decision. The fair board may affirm, reverse or modify the proposed decision."

- In Item 14, rule 371—3.5(173) has been modified to retain the words "for the remainder of the fair" which had been stricken and to add "or indefinitely." Rule 371—3.5(173) now reads as follows:

"371—3.5(173) Violation of rules. Violation of any rules may be grounds for revocation of all campground permits and immediate expulsion from the grounds for the remainder of the fair or indefinitely without refunds."

- Item 50, which amended paragraph 7.2(3)"b" to increase a concession fee amount, has not been adopted. As a result, Noticed Items 51 to 75 have been renumbered as Items 50 to 74.

The Iowa State Fair Authority does not intend to grant waivers under the provisions of these rules.

These amendments were adopted by the Iowa State Fair Board on May 15, 2012.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 173.

These amendments shall become effective July 18, 2012.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Chs 1, 3 to 8] is being omitted. With the exception of the changes noted above, these amendments are identical to those published under Notice as **ARC 0049C**, IAB 3/21/12.

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[For replacement pages for IAC, see IAC Supplement 6/13/12.]